

## Issue Paper Restrictions on Project Inspector Employment

### ISSUE:

In public school construction projects, a district may elect to contract with a firm providing various construction-related services including project inspection. In such arrangement, there may be a potential conflict of interest for the project inspector. It is possible that the inspector may be pressured to forego his or her duties of documenting construction deviations that may cause a delay or added cost of construction.

### BACKGROUND:

The California Education Code section 17311, in part, states:

The school district, city, city and county, or the political subdivision within the jurisdiction of which any school building is constructed or altered shall provide for and require competent, adequate, and continuous inspection during construction or alteration by an inspector satisfactory to the architect or structural engineer and the Department of General Services. The inspector shall act under the direction of the governing board and architect or structural engineer as the board may direct. The inspector shall be responsible to the governing board for employment purposes. The inspector shall be responsible to the Department of General Services for enforcement of the plans and specifications of the school project.

### PROPOSAL:

This administrative code change would preclude a project inspector from being employed by an entity that has a contract with the school district for any scope other than that directly related to inspection, or, an entity which is required to file a verified report for the project. This change would prevent construction management firms from providing project inspection services for the same district with which they have a construction management contract.

### PROPOSED REGULATION CHANGES:

**California Code of Regulations, Title 24, Part 1**  
**Section 4-333. Observation and Inspection of Construction.**

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**(b)** Inspection by project inspector. The school board must provide for and require competent, adequate and continuous inspection by an inspector satisfactory to the architect or registered engineer in general responsible charge of observation of the work of construction, to any architect or registered engineer delegated responsibility for a portion of the work, and to DSA.

1. The cost of project inspection shall be paid for by the school board. An inspector shall not have any current employment relationship with any: ~~entity which is a contracting party for the construction.~~

A. Entity providing any services for the school district except for services directly related to inspection.

B. Party required by this code to file a verified report for the construction.